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FISCAL IMPACT STATEMENT

LS 6185

BILL NUMBER: SB 43

NOTE PREPARED: Nov 12, 2010

BILL AMENDED:

SUBJECT: GPS Monitoring and Parole.

FIRST AUTHOR: Sen. Steele

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill has the following provisions:

- A. It specifies that the parole board shall, upon recommendation of the director of parole services based upon a validated recidivism risk assessment, require that certain persons convicted of child molesting be required to wear a GPS tracking device; and permits the parole board to require other sex and violent offenders be required to wear a GPS tracking device if this is recommended by the director of parole services based upon a validated recidivism risk assessment.
- B. It provides that the parole board may remove the requirement that a parolee wear a GPS tracking device upon recommendation of the director of parole services based upon a validated recidivism risk assessment.

(The introduced version of this bill was prepared by the Criminal Law and Sentencing Policy Study Committee.)

Effective Date: July 1, 2011.

Explanation of State Expenditures: *Summary-* Under current law, any sexually violent offender is required to wear a GPS tracking device. This bill reduces the number of sex offenders who would be required to wear a GPS monitoring device from roughly 589 to 35. The average cost of wearing a GPS device and having the capacity to monitor these offenders is roughly \$15 each day.

Background Information- Under current law, any sexually violent offender is required to wear a GPS tracking device. Except for Class A child molesting, the bill provides that the parole board will have the

discretion to require any other sexually violent predator to wear a GPS monitoring device. These offenders will generally all be on parole.

The broad category of “sexually violent predators” includes the offenses shown in the following table.

<u>Offense</u>	<u>First-time offense</u>	<u>If previous unrelated sex crime</u>
Rape (IC 35-42-4-1)	x	
Criminal deviate conduct (IC 35-42-4-2)	x	
Child molesting (IC 35-42-4-3) Class A or B	x	
Child molesting (IC 35-42-4-3) Class C		x
Child exploitation (IC 35-42-4-4(b))		x
Vicarious Sexual Gratification (IC 35-42-4-5)	x	
Child Solicitation (IC 35-42-4-6)		x
Child seduction (IC 35-42-4-7)		x
Sexual misconduct with a minor Class D felony (IC 35-42-4-9)		x
Incest (IC 35-46-1-3)		x
Sexual battery (IC 35-42-4-8) with a deadly weapon		x
Sexual battery (IC 35-42-4-8)		x
Kidnaping (IC 35-42-3-2), if victim younger than 18		x
Criminal confinement (IC 35-42-3-3), if victim younger than 18		x
Possession of child pornography (IC 35-42-4-4(c)), with prior unrelated conviction		x

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction; Indiana Parole Board.

Local Agencies Affected:

Information Sources: Department of Correction.

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